

File No.: Z-10225

Owner: HCC-AR 3701 CANTRELL LLC

Applicant: Dani White (Agent)

Address: 3701 Cantrell Road

Legal Description: Lot 16, Riverside Commercial Park Addition, to Little Rock, Arkansas.

Current Zoning: C-3

Present Use: Commercial Eating Place

Proposed Use: Commercial Eating Place

Variance(s) Requested: Variance is requested from the area provisions of Section 36-301 to allow a building addition with a reduced front yard setback in a C-3 District.

A variance is requested from the area provisions of Section 36-301 to allow a building addition with a reduced side yard setback in a C-3 District.

A variance is requested from the area provisions of Section 36-301 to allow a building addition with a reduced rear yard setback in a C-3 District.

Justification: The applicant's justification was presented with the application.

STAFF REPORT:**A. Planning and Development Civil Engineering Comments:**

If parking layout will change for the accommodation of proposed ramp. It will be required to meet Arkansas Fire Prevention Code and Municipal Codes.

B. Landscape and Buffer Comments:

All landscape areas shall be protected as per City of Little Rock Landscape Ordinance (Sec. 15-100). Provide notes on plan specifying type and location of mulch, edging, wheel stops, and/or concrete curb and gutter.

C. Building Codes Comments:

No Comments.

D. Analysis:

The C-3 zoned property located at 3701 Cantrell Road is within a predominantly commercial district at the southeast corner of the Cantrell Road and Old Cantrell Road intersection. The small commercial lot is bordered by C-3 properties to the north, south, and east, and an R-5 parcel to the west across Cantrell Road that is occupied by an apartment complex. The one-story commercial structure has paved parking areas along the north, south, and west perimeters of the building and connects to the adjoining property to the east that the applicant also owns.

The survey site plan indicates the structure was constructed upon the platted building setback line of the north perimeter of the site with portions of the structure extending into the platted setback line along the west perimeter of the site bordering Cantrell Road. The site plan also indicates that an existing canopy structure exists along the west side of the structure extending into the west side setback.

As an improvement to the property the applicant is proposing to remove the existing covered patio structure along the west side of the building and replace it with a new 300 square foot canopy structure over the existing patio. The proposed structure will extend to the west approximately 10-feet, 6-inches and extend approximately 28-feet, 8-inches to the north and south along the building perimeter.

Section 36-301(e)(1) *Front yard*, states, "There shall be a front yard having a depth of not less than twenty-five (25) feet to the front line of the building. Therefore, the applicant is requesting a variance to allow the canopy structure to extend 11 feet into the front set back.

The applicant is also proposing to construct a new 317 square-foot canopy porch structure along the north side of the building which is constructed within the platted side yard setback. The applicant also proposes a new stairway extending north to a new paved walkway that connects to the existing parking areas to the east and west. The site plan indicates that the new porch addition will also include a new concrete access ramp that extends towards the west connecting to the existing parking area.

Section 36-301(e)(2) of the City's Zoning Ordinance states, "No side yard shall be required except where abutting a residential district; then there shall be a side yard width of not less than fifteen (15) feet. On a corner lot, the side yard on the street side or exterior side shall be equal to the front yard setback. Therefore, the applicant is requesting a variance to allow the existing structure to have a reduced side (north) yard setback on a corner lot of no less than 11-feet.

The site plan indicates that the proposed improvements to the property include the reconstruction of an existing stairway structure at the southeast corner of the building connecting an existing deck structure to a parking area located on a separate parcel owned by the applicant along the east perimeter of the site.

Section 36-301 (e)(3) states: "There shall be a rear yard having a depth of not less than twenty-five (25) feet..." Therefore, the applicant is requesting a variance to allow the building to have a rear yard setback of not less than 1.0-feet.

Staff is supportive of the requested variances. Staff views the requests as reasonable. The proposed west canopy structure and north porch structure with stairs and ramp will be situated in approximately the same location as the existing structures. The new canopy will have a front yard setback relatable to other structures in the immediate area and the proposed north porch, stairway, and ramp are located well within the boundaries of the property. Staff believes the proposed additions to the building will have no adverse impact on the adjacent properties or the general area.

E. Staff Recommendation:

Staff recommends approval of the requested front, side, and rear yard setback variances as per the above staff analysis and as specified on the submitted site plan.

1. Compliance with the Planning and Development Civil Engineering and the Landscape and Buffer requirements as noted in sections A & B of the staff report.